

as amended ordered to be engrossed for its third reading to-morrow.  
 Bill to be entitled An act to consolidate certain offices in Sumter county,

Was read first time, rule waived, read second time by its title, and ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled An act to relieve the stockholders of the Bank of St. Johns,

Was read first time, rule waived, read second time by its title and referred to the Committee on the Judiciary.

Bill to be entitled An act authorizing the City Council of the city of Jacksonville, to issue bonds for the purposes named therein,

Was read first time, rule waived, read second time by its title, and referred to the Committee on the Judiciary.

Bill to be entitled An act to prevent the citizens of West Florida from hunting and killing deer during the months of June, July and August,

Was read the second time.

Mr. McLellan offered the following amendment to the bill:

Strike out the words "residents or citizens of the State of Florida," in 4th and 5th lines, Section 1, and insert in lieu thereof, "person or persons;"

Which was adopted.

The bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled An act for the relief of the counties of Columbia, Suwannee, Bradford and Baker,

Was read first time and placed among the orders of the day for to-morrow.

Bill to be entitled An act authorizing the appointment of a Commissioner to procure laborers for this State,

Was read first time, rule waived, read second time by its title and referred to the Committee on the Judiciary.

Bill to be entitled An act repealing the 7th section of An act concerning pilotage for the port of Cedar Keys, approved February 8, 1861,

Was read first time, rule waived, read second time by its title, and ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled An act to amend an act entitled an act to incorporate the Pensacola & Georgia Rail Road Company and for other purposes,

Was read first time, rule waived, read second time by its title, and referred to the Committee on the Judiciary.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,  
 November 24, 1866.

Hon. W. W. J. KELLEY,

President of the Senate:

SIR: The House of Representatives has this day passed the following bills, viz:

Senate bill to be entitled An act to consolidate the offices of Judge of Probate and Clerk of the Circuit Court in Calhoun county, and for other purposes; also,

Senate bill to be entitled An act to amend the charter of the city of Fernandina.

Very respectfully,

WM. FORSYTH BYNUM,  
 Clerk of the House of Representatives.

Which was read and the accompanying bills ordered to be enrolled.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,  
 November 24, 1866.

Hon. W. W. J. KELLEY,

President of the Senate:

SIR:—The House of Representatives has this day passed the following bill, viz:

Senate bill to be entitled An act to amend an act approved Jan. 12, 1866, entitled an act to amend the several acts regulating pilotage on the St. Johns Bar and River, and for other purposes; also, Senate bill to be entitled An act authorizing the county of Polk to issue bonds and for other purposes.

Very Respectfully,

WM. FORSYTH BYNUM,  
 Clerk of the House of Representatives.

Which was read and the accompanying bills ordered to be enrolled.

The rules having been waived, Mr. Cottrell presented the petition of George S. Leavett;

Which was referred to the Committee on Schools and Colleges.

On motion, the Senate adjourned till to-morrow morning at 10 o'clock.

TUESDAY, November 27, 1866.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the Chair.

A quorum present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Pursuant to previous notice, Mr. Cottrell introduced the following bill:

A bill to be entitled an act to provide for a code of the General and Public statute laws of the State;

Which was received and the bill placed among the orders of the day.

The rules were waived to allow Mr. Hendry to introduce without previous notice the following bill:

A bill to be entitled an act to alter and define the Southern boundary of Sumter county.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,  
November 26, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate:

SIR—The House has this day passed the following bills, viz:

House bill to be entitled an act making lawful certain conveyances of real estate by Patience E. Smith, Administratrix of Joel B. Smith, deceased,

House bill to be entitled an act for the relief of the City of Jacksonville.

Very Respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

Which was read, and the accompanying bills placed among the orders of the day.

Also the following:

HOUSE OF REPRESENTATIVES,  
November 26, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate:

SIR—The House has this day passed the following bills, viz:

House bill to be entitled an act changing and defining the boundary line between Orange and Brevard counties.

House bill to be entitled an act for the relief of Burroughs E. Carr.

Very Respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

Which was read and the bills accompanying placed among the orders of the day.

Mr. McLellan gave notice that he will on some future day introduce a bill to be entitled an act for the improvement of fencing and for other purposes.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,  
November 26, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate:

SIR—The House has this day passed the following House bills viz:

A bill to be entitled an act for the repeal of a certain law therein named;

A bill to be entitled an act to regulate the foreclosure of mortgages; also,

A bill to be entitled an act for the relief of the Estate of John Broward, deceased.

Very Respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

Which was read and the accompanying bills placed among the orders of the day.

Pursuant to previous notice, Mr. Steele introduced the following bill:

A bill to be entitled An act to amend an act, approved January 16th, 1866, entitled An act to embody the following act, viz:

Act March 15th, 1843, pp. 55 and 56, pamphlet; Act March 11th, 1845, pp. 23 and 24, pamphlet; Act January 22, 1851, pp. 125 and 126, pamphlet; and to enlarge and amend certain portions thereof;

The following communication from the House was received:

HOUSE OF REPRESENTATIVES,  
November 26, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate:

SIR: The House has this day passed the following bills, viz:

House bill to be entitled An act to divide the county of Nassau and organize a new county, to be called Stewart county; also,

House bill to be entitled An act to establish the office of Harbor Master for the port of Pensacola.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

Which was received and the bill placed among the orders of the day.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,  
November 26, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate:

SIR: The House has this day passed the following bills, viz:

A bill to be entitled An act to consolidate the offices of Sheriff and Tax Assessor and Collector of Santa Rosa county;

A bill to be entitled An act to repeal an act entitled an act to establish and organize a County Criminal Court; also,

A bill to be entitled An act to amend an act in relation to apprentices, approved January 12, 1866.

Very respectfully,

WM. FORSYTH BYNUM, Clerk House of Rep.

Which was read and the bills accompanying placed among the orders of the day.

Mr. Cottrell raised a question of privilege as to the construction of the law of Congress to regulate the time and manner of holding elections for Senators in Congress. The President ruled that a Senator in an election under that law cannot vote a *blank*, but must, in such vote, name one person. From this decision an appeal was taken by Mr. Kenan.

The ayes and noes were demanded on sustaining the decision of the President.

The vote was:

Yeas—Messrs. Bird, Brevard, Cottrell, Finegan, Gorrie, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Turner, White, Whitehurst and Woodruff—20.

Nays—Messrs. Crawford, Evans, Kenan, McLellan and Steele—5.

So the decision of the President was sustained by the Senate.

Pursuant to previous notice, Mr. Finegan introduced the following bill:

A bill to be entitled An act to charter the Florida Provision Company;

Which was received and the bill placed among the orders of the day.

Pursuant to previous notice, Mr. Whitehurst introduced the following bill:

A bill to be entitled An act to regulate the sale of poisons, and for the more effectually guarding and protecting the public health;

Which was received and the bill placed among the orders of the day.

The Committee on Engrossed Bills report that the following bills are correctly engrossed:

A bill to be entitled An act to amend an act approved January 11, 1866, entitled an act to authorize the County Commissioners of Duval county to issue bonds for a purpose named therein;

A bill to be entitled An act to prevent the citizens of West Florida from hunting and killing deer in the months of June, July and August;

A bill to be entitled an act repealing the seventh section of an act concerning Pilotage for Cedar Keys, approved February 8th, 1861;

A resolution relative to cleaning out the Ocklawaha river;

A bill to be entitled an act to consolidate certain offices in the county of Sumter; also,

A bill to be entitled An act to provide for improving the River and Bay of Apalachicola.

J. H. ROPER, Ch'n.

Which was read and the bills accompanying placed among the orders of the day.

The Committee on the Judiciary made the following report:

The Committee on the Judiciary have had under consideration the following bills, and respectfully recommend their passage, viz:

A bill to be entitled An act to authorize the County Commissioners of Hamilton county to issue bonds for the purposes therein named; also.

A bill to be entitled an act to amend an act to provide for the incorporation of towns and cities in this State, approved January 16th, 1866.

The same committee have also considered the bill to be entitled an act to authorize the cleaning out of the Withlacoochee river, and beg to report unfavorably thereon.

The provisions of the bill to be entitled An act to provide for the farther stay of Executions in this State, the committee believe to be in conflict with 1st clause, 10th Sect., 1st Art. Const. U. S. The General Assembly can pass no law impairing the obligation of contracts; any law affecting the remedy affects also the right. It is therefore recommended that the bill do not pass.

They have also had under consideration a bill to be entitled an act in relation to Dover, which was referred to them, and which is herewith returned with a recommendation that it do not pass.

The bill to be entitled an act relative to Divorces, is also returned to the Senate, with a recommendation against its passage.

The committee return herewith the petitions praying for a division of the county of Hernando, and respectfully

#### REPORT-

That the Constitution provides that "no county now organized shall be divided into new counties, so as to reduce the inhabitants of either below the ratio of representation." In their opinion, the General Assembly can do nothing for the petitioner.

The committee respectfully recommend the passage of the bill herewith returned to the Senate, to be entitled An act to amend an act entitled an act to establish and organize a County Criminal Court, approved January 11th, 1866, with the following amendments, viz:

Strike out all in Sect. 2, after the enacting clause, and insert instead the following words: "That the provisions of this act shall not be construed to give jurisdiction to said County Criminal Court in capital cases."

T. W. BREVARD, Ch'n.

Which was read and the accompanying bills placed among the orders of the day.

#### ORDERS OF THE DAY.

Bill to be entitled an act to prevent the citizens of West Florida from hunting and killing deer during the months of June, July and August.

Was read a third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Brevard, Cottrell, Crawford, Finegan, Gorrie, Haynes, Jordan, Kenan, McLellan, Oliveros, Owens, Pearce, Richard, Roper, Rosseau, Steele, Turner, White, Whitehurst and Woodruff—21.

Nays—None.

Mr. Cottrell moved to amend the title by strike out the words, "citizens of West Florida" and insert the words "any person or persons."

Which was agreed to.

So the bill passed.

Ordered that the same as amended be certified to the House.

Bill to be entitled An act to amend an act approved January 11th, 1865, entitled an act to authorize the County Commissioners of Duval county to issue bonds for a purpose named therein,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Brevard, Cottrell, Crawford, Finegan, Gorrie, Haynes, Jordan, Kenan, McLellan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Rosseau, Steele, Turner, White, Whitehurst and Woodruff—23.

Nays—none.

So the bill passed—title as stated.

Ordered to be certified to the House of Representatives.

Bill to be entitled An act to provide for improving the River and Bay of Apalachicola,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Brevard, Crawford, Evans, Finegan, Gorrie, Jordan, Kenan, McLellan, Morrison, Owens, Poe, Richard, Rosseau, Steele, White and Whitehurst—17.

Nays—Messrs. Cottrell, Haynes, Oliveros, Pearce, Roper, Ross, Turner and Woodruff—8.

So the bill passed.

Mr. Gorrie moved to amend the title of the bill by striking out the word "river" and inserting the word "channel;"

Which was adopted, and the bill, as amended, ordered to be so certified to the House.

Bill to be entitled An act repealing the seventh section of an act concerning pilotage for Cedar Keys, approved February 8th, 1861,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Cottrell, Crawford, Evans, Finegan, Gorrie, Haynes, Jordan, Kenan, McLellan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, White, Whitehurst and Woodruff—24.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

Bill to be entitled An act to consolidate certain offices in the county of Sumter,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Cottrell, Crawford, Evans, Finegan, Gorrie, Haynes, Jordan, Kenan, McLellan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, White, Whitehurst and Woodruff—24.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

Resolution relative to clearing out the Ocklawaha River,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bird, Cottrell, Crawford, Evans, Finegan, Gorrie, Haynes, Jordan, Kenan, McLellan, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Whitehurst and Woodruff—22.

Nays—Mr. Morrison—1.

So the resolution passed—title as stated.

Ordered that the same be certified to the House.

Bill to be entitled An act to amend an act entitled an act to establish and organize a County Criminal Court,

Was read second time; the amendments recommended by the Committee on the Judiciary were adopted, and the bill, as amended, ordered to be engrossed for a third reading on to-morrow.

The rules being waived, Mr. Kenan introduced the following resolution :

*Resolved*, That the Comptroller of Public Accounts be requested to report to the Senate what amount of Warrants have been issued from his office since May, 1865, under the head of Salaries to Public Officers, for services rendered during the war;

Which was adopted.

Bill to be entitled An act to authorize the clearing out of the Withlacoochee River,

Was read second time, and on motion was laid on the table.

Bill to be entitled An act to provide for a further stay of execution in certain cases,

Was read second time, and on motion laid on the table.

Bill to be entitled An act relative to divorces,

Was read second time, and on motion laid on the table.

Bill to be entitled An act relative to dowers,

Was read second time, and on motion laid on the table.

Bill to be entitled An act to amend an act entitled an act to provide for the incorporation of towns and cities in this State, approved January 16, 1866,

Was read second time and ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled An act to authorize the County Commissioners of Hamilton county to issue bonds for the purposes therein mentioned,

Was read second time and ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled an act to regulate the sale of poisons, and for the more effectually guarding and protecting the public health,

Was read first time and placed among the orders of the day for to-morrow.

Bill to be entitled an act to charter the Florida Provision Company,

Was read first time, rule waived, read second time by its title and referred to the Committee on the Judiciary.

Bill to be entitled an act for the relief of the counties of Columbia, Suwannee, Bradford and Baker,

Was read second time, and ordered to be engrossed for a third reading on to-morrow.

Bill to be entitled an act to provide for a code of the general and public statute laws of the State,

Was read first time, rule waived, read second time by its title and referred to the Committee on Judiciary.

A bill to be entitled an act to alter and define the Southern boundary of Saint r county,

Was read first time, rule waived, read second time by its title, and referred to the Committee on Boundaries.

A bill to be entitled an act to amend an act approved January 18th, 1866, entitled An act to embody the following acts, viz: Act March 15th, 1843, pp. 55 and 56, pamphlet; Act March 11th, 1845, pp. 23 and 24, pamphlet; Act January 22, 1851, pp. 125 and 126, pamphlet, and to enlarge and amend portions thereof,

Was read first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act to authorize the County Commissioners of Orange County to issue bonds for the purpose therein mentioned,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cottrell, Crawford, Evans, Finegan, Gotrie, Haynes, Jordan, McLellan, Morrison, Oliveros, Pearce, Poe Richard, Roper, Rossean, Steele, Turner, White, Whitehurst and Woodruff—20.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House bill to be entitled An act for the repeal of a certain law named therein,

Was read the first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act to regulate the foreclosure of mortgages,

Was read first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act for the relief of the estate of John Broward, deceased,

Was read first time, rule waived, read second time by its title and referred to Committee on Judiciary.

House bill to be entitled an act for the relief of Burroughs E. Carr,

Was read first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act changing and defining the boundary line between Orange and Brevard Counties,

Was read first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act for the relief of the city of Jacksonville,

Was read first time, and placed among the orders of the day for to-morrow.

House bill to be entitled an act making lawful certain conveyances of real estate, by Patience E. Smith, Administratrix of Joel Smith, deceased, was read first time, rule waived, read second time by its title and referred to Committee on Judiciary.

House bill to be entitled an act to amend an act entitled an act in relation to apprenticeses.

Was read first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act to repeal an act entitled an act to establish and organize a County Criminal Court,

Was read first time and on motion laid on the table.

House bill to be entitled an act to consolidate the offices of Sheriff, Tax Assessor and Collector of Santa Rosa County.

Was read first time, rule waived, read second time by its title, and placed among the orders of the day for to-morrow.

House bill to be entitled An act to establish the offices of Harbor Master for the port of Pensacola,

Was read first time, rule waived, read second time by its title, and referred to the Committee on Judiciary.

House bill to be entitled An act to divide the County of Nassau, and organize a new County to be called Stewart County,

Was read first time and placed among the orders of the day for to-morrow.

The rules were waived, and Mr. Cottrell offered the following resolution:

*Resolved*, That the Senate will, on to-morrow, (Wednesday, Nov. 28, at 12 o'clock M.,) assemble in joint convention, in the Hall of the House of Representatives, to determine if an election of Senator to the Senate of the United States, to serve from the 4th day of March next, for six years, has been made, and to go into an

election for such Senator if a Senator, shall not have been elected ;

Which was adopted.

Mr. Cottrell moved that a committee be appointed to notify the House of the adoption of the resolution.

The following were appointed as said committee :

Messrs. Cottrell, Morrison and Rosseau.

Mr. Bird moved that the Senate take a recess until 3 o'clock, P. M.;

Which was not agreed to.

Mr. Cottrell moved that the Senate go into an election for United States Senator ;

Which was not agreed to.

Mr. McLellan moved that the Senate go into an election for U. S. Senator at 3 o'clock P. M.

Which was agreed to.

On motion of Mr. Bird, the Senate took a recess till 15 minutes to 3 o'clock P. M.

#### FIFTEEN MINUTES TO THREE O'CLOCK P. M.

The Senate resumed its session.

Mr. Bird presented the credentials of Mr. Daniel Williams, Senator from the 1st District.

The Senator was duly sworn in.

Mr. Ross moved a call of the House.

Absent members without leave were Messrs. Brevard, Evans, Finegan and McLellan.

Mr. Ross moved that the Sergeant-at-Arms be sent to summons the absent Senators ;

Which was agreed to.

Mr. Bird moved to suspend the call of the House ;

Which was not agreed to.

Mr. Bird renewed the motion for the call of the House ;

Mr. Cottrell moved that the Senate now proceed to the election of U. S. Senator to serve for six years from the 4th March next.

Which was agreed to.

Mr. Whitehurst nominated Wm. Marvin.

Mr. Ross nominated Joseph Finegan.

The ballot was as follows :

For Finegan—Messrs. Cottrell, Evans, Gorrie, Haynes, Jordan, Kenan, Oliveros, Owens, Pearce, Richard, Ross, Rosseau, Steele and Turner—14.

For Marvin—Messrs. Bird, Crawford, Morrison, Poe, Roper, White, Whitehurst, Woodruff and Williams—9.

The Chair announced that Jos. Finegan had received a majority of the whole number of votes cast in the Senate.

On motion, the Senate adjourned till to-morrow at 10 o'clock A. M.

WEDNESDAY, November 28, 1866.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the Chair.

A quorum present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Jordan gave notice that he would at some future day ask leave to introduce a resolution for the relief of the several Tax Collectors of this State.

Mr. Morrison desired to change his vote to Aye upon the bill yesterday, in relation to the clearing out of the Ocklawaha river ;

Which was agreed to.

Mr. Ross gave notice that he would on to-morrow introduce a bill for the relief of G. W. S. Waldron, of Columbia county.

Mr. Steele gave notice that he would at a future day introduce a bill to be entitled An act to extend the jurisdictional limits of the city of Jacksonville.

The committee appointed by the Senate to notify the House that the Senate would meet in joint session to day, at 12 o'clock, meridian, to go into an election for U. S. Senators,

appeared and reported that they had performed their duty and asked to be discharged.

On motion of Mr. Cottrell,

A bill to be entitled an act to authorize the clearing out of the Withlacoochie river,

was taken from the table and placed among the orders of the day.

A committee appeared from the House, and notified the Senate, that the House would be prepared to-day, at 12 o'clock, meridian, to assemble in joint meeting, to proceed to an election of U. S. Senators.

A committee from the House appeared and informed the Senate that they were appointed a committee on the part of the House to inform the Senate that the House had appointed a committee of five to act with a similar committee on the part of the Senate, to act as a joint committee to prepare to report a bill providing for the establishment of a Court in lieu of the County Criminal Court, and ask the appointment of a similar committee on the part of the Senate.

The following communication was received from his Excellency the Governor :

EXECUTIVE DEPARTMENT,  
November 26, 1866. }

Gentlemen of the General Assembly :

I have the honor to send you herewith, for your information, a copy of the orders of Major Gen. J. G. Foster, to the officer in command at Fernandina, October 24th, 1866.

The existence of these orders did not come to my knowledge until